All Favor the Idea, but Two Think That No Change in the Charter Is Needed-Say Present Force Could Do the Additional Work-Bingham Praises the Measure.

The Board of Police Magistrates for Manhattan and The Bronx at a special meeting yesterday afternoon declared unanimously for a night police court in Manhattan, but two of the twelve Magistrates present opposed asking the Legislature to pass a law permitting the Mayor to name two more Magistrates to set the court going. These Magistrates, Moss and Wahle, contended that no more Magistrates were needed and that the board could establish the night court of itself and with its present force. Mayor McClellan would appoint the new men. Neither Magistrate Wahle nor Magistrate Moss has been in political sympathy recently with the Mayor.

As soon as the meeting was called to order Magistrate Steinert arose and presented a resolution calling for a law appointing two new Magistrates and submitting therewith the copy of the necessary The resolution declared that it was "the general sense of this board that the proper administration of justice and enforcement of law in this city requires the holding of a session at night of the City Magistrates' court" and also said that to do this two new Magistrates and four more clerks were needed. Then it asked the Legislature for the "speedy enactment into law" of the proposed measure.

Magistrate Steinert made no comment on the measure. Magistrate Wahle then sprang a surprise. He declared himself in favor of a night court, said that as president of the board for two years he had been trying to get more courts and that he always had a night court in contemplation. Then he said:

"We do not need more Magistrates for this court. We can establish such a court with our present force."

Judge Wahle moved an amendment that the board establish the night court on April 16 next, and he declared that the way not to get a thing was to ask the Legislature for it. He said that the Magistrates work only sixteen days a month and that the additional work of a night court would mean only two or three days of extra labor

for each Magistrate. President Whitman said there was no question of the board's power to establish a night court at once if it chose, but he read from the city Charter showing that the number of clerks was limited to eighteen. The Legislature would have to allow an even if no more Magistrates were Magistrate Wahle again said that members of the present board could work, and Magistrate Breen re-

joined:
"Not all of us are such marvels of industry as Judge Wahle."
Magistrate Moss declared for the Wahle idea and said any Magistrate ought to be willing to sit two or three extra nights a month to bring it about.
"But what we do without more clerks?" "But what can we do without more clerks?"
asked President Whitman.

asked President Whitman.

"Oh, they volunteer as amiably as the Judges do," declared Magistrate Breen.

Magistrate House then said that at times the board had been short from two to these members on account of illness. He asked how the board could getalong with a night court established by the present force in such a contingency. He said he favored any plan to get rid "of the shameful practices that are going on in this city with tices that are going on in this city with regard to professional bondsmen," and added that if the night court should not prove a success the city would have two additional Magistrates with whom a new day court could be set up. He added:
"I feel confident that the Legislature will pass this bill. Public sentiment is behind this move. With the overwhelming ntiment in its favor I am sure the bill

Magistrate Barlow declared that he had been ill himself once for four months of pneumonia, and sickness was likely to come pon any member of the board, a sentiment which Magistrate Crane indotsed, because, he said, the courts themselves were not wholesome places. Magistrate Breen said that if there was any objection on account of the expense he was sure that if the measare could be submitted to the taxpayers they would be practically unanimous in

Magistrate Steinert then said he regretted to differ from his "colleagues," meaning his Tammany colleagues, and when Magistrate Breen asked him what he meant he said he meant his "colleagues, on my left." He declared that the Magistrates did not have fourteen days a month to themselves. Special examinations had to be held and bail had to be given constantly by Magistrates when not on duty in the court rooms.

"If this night court will eradicate the bondsman evil let us have two new Magistrates and let us have 'em quick."

Magistrate Steinert said he agreed with Magistrate House that getting these Magistrate are the said to be setting wedge to getting trates would be an entering wedge to getting more police courts. Magistrate Breen said it would be "almost cruel" to expect the present force to sit at night as well as in the day, and Magistrate Wahle rejoined day, and Magistrate Wahle rej court and mothers are putting their babies to sleep with lullables over it it was time to start the thing right up and not wait for

Legislature to do something. When the vote was taken for the Wahle proposition it failed by a vote of 9 to 3, these Magistrates voting for it: Finelite, Moss and Wahle.

Before the vote was taken on the original plan President Whitman read a letter from Police Commissioner Bingham favoring the night court. The Commissioner wrote: night court. The Commissioner wide.

"I have the honor to inform you that the plan meets with my hearty approval. Such a plan would be of advantage not only in thwarting professional bondsmen but it would also bring better treatment because of the immediate disposition of charges involving minor offences. It would also reduce the number of prisoners who have be confined temporarily in police sta-

The final vote on the plan suggested originally by President Whitman was 10 to 2, Magistrates Moss and Wahle opposing. Each declared, however, that he was in favor of the night court and that he differed with his colleagues only as to the most practical manner in which to estab-

The bill will be sent to Albany at once. It simply changes the city Charter to reach that there shall be sixteen police Magisin this division instead of fourteer and that the number of police court clerks assistants shall be twenty-two instead of eighteen. The bill will probably be intro-duced through city channels, the Cor-poration Counsel's office asking its repreentative at Albany to see that it is put

n at once. Magistrate Crane, who voted for the measure, recalled that in the early '80s there were night courts in this city and said they failure. He declared that he favored the English system of giving women rested on the street at night or in rai cards ordering them to appear in court the next morning. He said that would do away with the bendsman evil. He also

way with the bondsman evil. He said said that he was sure the new night court would have a similar effect.

"Take my word for it," he said, "on the very first night that this new court sits you the won't see any arrests of women on the street. There will be reasons for it."

CHARGES AGAINST WENDEL Approved by Gov. Hughes and Will Be

Served on the Captain To-day. ALBANY, March 12 .- Gov. Hughes approved to-night the formal charges prepared by Major Louis Babcock of Buffalo Judge Advocate of the Capt. Wendel court-

martial. These charges will be served upon Capt. Wendel to-morrow.

PROMINENT PEOPLE JOIN IN THE FIGHT AGAINST CONSUMPTION.

The percentage of mortality in tubercular cases, as shown by government statistics, has resulted in prominent people of all classes enlisting in the fight to check the further spread of the dread disease, and effect its

While the problem of curing consumption does not, as yet, appear to have been successfully solved, it is apparent that the disease can be prevented by a little ordinary care.

Neglect of an ordinary cold is very apt to result in contracting tubercular trouble. The cold leaves the lungs sore, and peculiarly susceptible to the tubercular germ.

A well-known authority has published the simple formula that he has used successfully for the past twenty years in treating various forms of throat and lung trouble. He claims that the sundry incipient affections of the throat. lungs and bronchial tubes would seldem reach an acute stage if this formula was generally known and used. It is said to break up a cold in twenty-four hours and cure any cough of a curable nature.

The ingredients are simple and inexpensive, easily obtained from any good prescription druggist, and can be prepared by any one. Take a half ounce of Virgin Oil of Pine (Pure), two ounces of Glycerine and a half pint of good Whiskey. Mix in a bottle and shake well. Use in teaspoonful doses

Pure ingredients are essential, and to guard against substitution it is est to purchase each separately and mix at home. Virgin Oil of Pine (Purc) is put up, for dispensing only, in half-ounce vials, each vial securely scaled in a round wooden case with an engraved wrapper showing the name-Virgin Oil of Pine (Pure) guaranteed under the Food and Drugs Act, of June 30th 1906, serial number 451, prepared only by Leach Chemical Co., Cincinnati, O .- plainly printed thereon. There are many rank imitations of Virgin Oil of Pine (Pure) put out under similar name and style of package, but these are not only ineffective for the purpose, but may cause nausea, and are often dangerous. It is always well to remember that the object of an imitator is to deceive. There is no known substitute for Virgin Oil of Pine (Pure)

MAKES LAWYER PAY BACK FEE

NEGRO TAKES S9 TO GET A WOMAN A SUMMONS

And Then is Not There to Prosecute Case -Scandalous State of Affairs in West Side Court -Crowd of Heelers, Runners and Politicians Monopolize Enclosure

Junius C. Ayler, a negro lawyer who pracises in the West Side court, was haled before Magistrate Breen yesterday by Mrs. Emma Coles, a colored woman, of 522 West Forty-fifth street. Mrs. Coles said that she had given Ayler \$9 and all he had done was to tell her how to serve a summons. She said that she had gome to court in February to get a summons for another woman who had struck her

She was sitting just behind the lawyers' ench in the court when, she said, Ayler urned around to her and remarked what a terrible amount of crime there was exhibited in the West Side court, ending with the inquiry "And have you a case here?" The woman said that she had and told

about it, whereupon they withdrew to the hall outside the court room. "We are not allowed to talk here, and the best of lawyers observe the best of rules," Ayler told her, she said. He further informed her, she said, that to get a summons she must get a lawyer, and he would get the summons. This could be done for \$10, she said he continued, whereupon she paid him \$6, all she had. Later she gave him \$3 more. She said he made no arrangement for prosecuting in return for this money. The summons did not work, and neither did a warrant until to-day, when the lawyer did not appear to prosecute the defendant, who was discharged. Ayler had often refused to return her the money, Mrs. Coles said, and had skipped out of court when she appeared. Magistrate Breen called up the lawyer. 'How is this-taking this woman's money

for serving a summons?" he asked. "She engaged me to get the summons and prosecute in this case," said Ayler, "and I received the \$6. When the woman did not appear on a summons I did appear and got a warrant. This woman, Mrs. Coles, was so much pleased with my services that she gave me \$3 more. It was all an accident that I did not appear for her this morning.

"You give this woman back that \$9 there will be trouble for you," said Magis-

I was just outside."

Ayler said that he would, because of the accident of his non-appearance. The access that the crowd of lawyers, politicians and their runners have to the prisoners and policemen waiting within the rail of the West Side court for their hearing before the Magistrate is an example of the need of the housecleaning Magistrate Whitman subjected the Tombs court to on Monday. Magistrate House, while sitting in the cour two weeks ago, maintained a two weeks ago, maintained a rigid rule of excluding from within the rail all persons lawyer, district leader and runner alike-who had no specific business there. The effect was noticeably salutary.

One of the best opportunities for telling the prisoner how badly he needed a lawyer for "fixing it up" with the police, and for aiding the clerks in making out the complaints against the prisoner, was cut of in addition, the confusion around the Magistrate's desk was almost eliminated. When the ban against admission is raised

the lawyers stream in. In one case recently Adolph Nordquest, the Young Sandow, who was arrested on a charge of abandoning a woman he said he had never known, declared that a lawyer came to him without invitation while he was in the corridor leading from the prison and before he had

Bulletin.

PENNSYLVANIA RAILROAD

A TOUR TO SEE AMERICA.

is well on with all its refreshing aspects, and nature is never more

attractive. California is more beautiful in May than in February;

the Grand Canyon, and the Colorado and Canadian Rockies are

just as grand, and the expense of travel, in this instance, is only

points of Colorado, the Grand Canyon of Arizona, twelve days in

California, visiting Los Angeles, Pasadena, Redlands, Riverside,

Santa Barbara, Del Monte, San Jose, and San Francisco, and a daylight trip through the magnificent Canadian Rockies, will

leave on April 27 by special Pullman train under the Personally-

Conducted System of the Pennsylvania Railroad. The round-trip

rate, covering all necessary expenses while on the special train.

and a number of carriage drives at interesting points, will be only

\$200 from stations on the Pennsylvania Railroad east of Pirts-

C. Studds, Eastern Passenger Agent, 263 Fifth Avenue, New York,

or Geo. W. Boyd, General Passenger Agent, Philadelphia.

This is one of the most attractive American tours ever

For descriptive itineraries, giving full details, apply to

May is a particularly delightful month for travel. Spring

A thirty-day tour of the continent, covering the scenic

even reached the court room and asked him for \$25 to take care of his case. Nordquest refused him and had no trouble clearing himself. Two Tammany district leaders, J.

Two Tammany district leaders, J. J. Hagan and Ross Williams, and one of The McManus's brothers were all within the railing of the court room one day last week, looking out for the interests of their constituents. Hagan appeared yesterday in the interest of Peter Costello, a young fellow arrested on March 8. When Costello was brought into the court after his arrest, Louis Lubitz, proprietor of a saloon at 1941
Broadway, said that Costello had demanded
\$20 from him the night before, had gone
away for a while when Lubitz refused, and
returning later to collect had threatened
with a pistol and discharged it in the place.
Clerk Dyer would not take a charge crise. Clerk Dyer would not take a charge against him for attempted robbery until Magistrate Breen directed him to. Costello was held on a charge of carrying concealed weapons. In the examination on the robbery charge

In the examination on the robbery charge yesterday no complainant appeared. Hagan had a conversation before the hearing with the policeman who arrested Costello. When the case was called the policeman announced that the complainant was not in court, and Hagan informed Magistrate Breen that the complainant had told him that he regarded Costello's action as a freak and would not press the case. Magistrate Breen would not discharge the case. trate Breen would not discharge the case, however, until Lubitz appeared, and Hagan promised to have him in court to-day. He bailed Costello out.

REPORT RECOUNT BILL TO-DAY And Pass It Next Week Is the Plan of Assembly Leaders.

ALBANY, March 12.-The Prentice bill providing for a recount in the last New York city Mayoralty election was not acted upon to-day by the Assembly Judiciary Committee. Owing to hearings an executive session was not held, it being postponed until to-morrow morning.

While Majority Leader Moreland is cofident that the bill will be reported to-morrow, Assemblyman Prentice is not so sure. Some of last year's members of the commeasure owing to the way they were treated last year. Then there was not so much back hauling and filling that they did not know just what position they were to take They would much prefer to have the Senate act in the matter first.

However, the programme of the Republi-can leaders of the Assembly includes having the bill reported to-morrow and passed

The Assembly Codes Committee will report to-morrow the bill that will compel the Independence League as well as other parties entitled to a column on the official ballot to hold primaries. Another bill to be reported by that committee the one prohibiting a candidate from having his name in more than one column on the

WHITEMAN MUST SERVE TERM Court of Appeals Won't Let Him Off From an Eight Year Bit in Auburn.

ALBANY, March 12.-Alonzo J. Whiteman whose career in nearly every city in the United States is recorded in police records. must serve the sentence of eight years in Auburn prison improsed upon him for grand larceny in Erie county in October,

Whiteman was indicted for first degree grand larceny jointly with two others October, 1904. He was stember, 1905, in St. Louis, after a continent. Whiteman in October, 1904. He was arrested on chase across the continent. Whiteman was started back to Buffalo in the custody of two officers, from whom he escaped crawling through a window while the train was in motion. He was subsequently

caught in Dansville on January 27, 1905.
Whiteman cashed forged drafts and checks for \$750 drawn upon the Fidelity Trust Company of Buffalo. He was one of a gang of three who operated in the Hudson River Valley and central and western New York. western New York.

AIMS AT LEGISLATORS' GRAFT

BY MAKING IT A CRIME TO ACT AS SPECIAL COUNSEL.

Another Reform Measure Before the Legislature Against Levying Campaign Contributions on State Employees-Assembly Debates on National Guard Graft.

ALBANY, March 12 .- As the result of the exposures showing the members of the Legislature are enjoying considerable graft by representing the State as special counsel Assemblyman J. A. Foley has introduced a bill amending the Penal Code by making it a misdemeanor for any member of the Legislature directly or indirectly to receive any compensation, allowance or fees for any services rendered or expense incurred as attorney or counsel for any department. bureau, commissioner or officer of the State.

Some members of the Legislature have drawn as much as \$5,000 a year for such "services." There is a Federal law prohibiting members of Congress from doing legal business with any Governmental depart-

An echo of the celebrated case against Fiscal Supervisor Harry H. Bender, when he held up all of his office force for campaign contributions, is shown in a bill introduced to-day by Senator Tully at the request of the State Civil Service Commission. It provides that no officer, agent, clerk or employee shall accept or receive. or be in any manner directly or indirectly concerned in accepting or receiving, either as principal or agent, or use means to transmit to any individual, corporation or committee, any political assessment, subscription or contribution to a campaign fund from any officer, agent, clerk or employee of any State department or any of the civil divisions of the State.

This affects Bender more than any other nan. When he was on trial before the Civil Service Commission he tried to evade responsibility for having levied campaign assessments against his office force by placing the responsibility upon his private

The bill further provides that every officer aployed in the classified civil service of the State, or any subdivisions, at the time of receiving his first payment of salary in December of each year, sign a statement setting forth the amount of any contribution made by him in the preceding year for any political purpose, directly or indirectly. including dues to political clubs or to promote legislation or influence official action. Violations are made misdemeanors

Another bill introduced by Senator Tully compels local civil service commissions to retain a registered list of laborers, vacancies in the labor class to be filled from the list.

Assemblyman Wainwright's bill pro viding for an investigation of the National Guard by a committee composed of three Guard by a committee composed of three Senators, three Assemblymen and three of the common people, Mr. Wainwright says, will be taken up to-morrow on a special order in the Assembly for final passage. It was brought up on the order of second reading to-day, but after a short debate was put over until to-morrow. The introducer of the hill displains that there is any was put over until to-morrow. The intro-ducer of the bill disclaims that there is any reason for suspecting the existence of graft of any size in the Guard, but Assemblyman Frisble of Schenectady declares that there

Fristle of Schenectady declares that there is graft.

"Officers are known to be interested in contracts for supplies for the armories. Also it is known that intoxicating liquors are brought into armories," he asserted.

Assemblyman Merritt, however, wanted to know more specifically than the bill-showed why there should be an investigation.

gation.

Mr. Wainwright said that the object sought was for the good of the National Guard and not to demoralize it. He thought that possibly it might be shown that it would be for the best interests of the Guard to be put on the same footing, in many respects, as the Regular army.

Paradise Park Jimmy Oliver opposed the bill and said that New York city was

not making any complaint in regard to the spending of money for the armories. "Do you know that a line officer can order something done and a board of supervisors has to pay for it without having the privilege of auditing the account?" inquired As-semblyman Frisbie.

The debate brought out an amusing situation. There are four Democrats, who were elected as Independence Leaguers, and Jimmy hasn't been able to control them. He insists that he must be recognized as "It" without any assistant leaders. Assemblyman Foley of Niagara, however, refuses to yield to him this distinction and when Jimmy was speaking he arose and moved the previous question on the bill. "Oh, you will!" shouted Jimmy, shaking his finger at him. "I'll get even with you for that. I'll bring you into line, all right,

and don't you forget it, either. The previous question motion was voted down and Jimmy smiled. Then Assemblyman Cuvelier butted in with his usual amend ment, which provided that the investigation should be made by four Regular army officers. The amendment, with the bill, went

CANAL ESTIMATES VARY \$2,500,000 Supt. Stevens Cuts Engineer Skene's Fig ure of \$7,500,000

ALB:NY, March 12.- There is a difference of \$.,500,000 in the estimates made by State Engineer and Surveyor Skene and State Superintendent of Public Works Stevens of the amount regarded as necessary for the continuance of the work of the 1,000 ton barge canal for the coming year. Mr. Skene estimates that \$7,500,000 will

be necessary to keep the work in motion, while Supt. Stevens considers that \$5,000,000 will meet all requirements. In his schedule showing the amount which he thinks is necessary Engineer Skene estimates that work should be done on the contracts under way to the aggregate of \$5,771,719. Supt. Stevens doesn't think that the contractors can complete that amount of work. Mr. Stevens also makes lower estimates on the other items of expenditures.

Proposals for \$5,000,000 3 per cent. canal

bonds are invited in advertise bonds are invited in advertisements placed to-day by State Comptroller Glynn. The bids will be opened at the Comptroller's office on April 5 and no bids will be accepted for less than the par value of the bonds. It has been announced that if acceptable bids are lacking for these bonds they will be taken over for the canal and good roads sinking funds.

Ask Hughes to Investigate Hartem Wreck ALBANY, March 12. - Assemblyman Wainwright headed a delegation of Westchester county commuters who waited upon Gov. Hughes at the executive chamber to-night with a petition seeking a special investigation of the wreck on the New York and Harlem division of the New York Central on February 16. The petition asked that the investigation be made by a legislative committee in line with a resolution to this effect introduced by Mr. Wainwright. The Governor pointed out that the passage of effect introduced by air. Wainwright. The Governor pointed out that the passage of the public utilities bill now pending in the Legislature would probably accomplish the result the Westchester people aimed at.

Oliver's Panama Co. Quits Business ALBANY March 12.-The Panama Construction Company, which was formed in this State about a month ago by W. J. Oliver and his financial backer, State Superintendent F. C. Stevens of the Department of Public Works, for the purpose of financing the work of construction of the Panama Canal under the Oliver contract, certifies the discontinuance of activity by filing to-day with the Secretary of State a certificate reducing its capital atock from tificate reducing its capital stock from \$5,000,000 to \$15,000.

LEGAL ADVICE VERY, CHEAP, Lewis is Charged With Swindling Many People on East Side

Joseph Lewis of 312 East Seventy-eighth street was looked up in the East Sixtyseventh street police station last night charged with swindling many people of the East Sixties out of \$2 each. Some days ago Capt. Shire learned that a man was going about the upper East Side selling for \$2 a paper which purported to give the holder the right to legal advice on all questions for one year. Detective services when needed were thrown in, according to the certificate. which was made out in the name of the Lawyers Protective and Detective Association of New York." The association. t was stated in the paper, had "suites 705 and 707" at 114 Nassau street. Capt. Shire's men could find no trace of the "association" at 14 Nassau street, but they found plenty of people about the precinct who had given up \$2 for the bit of paper. Lewis sold one of the papers to John Konick of 1361 Avenue A early last evening, but Konick became suspicious after Lewis had left and followed him to a flat at Seventy-second street and Avenue A and told a policeman. Lewis was nabbed when he came out and there was a rough and tumble fight before he consented to go to the station. Lewis is not sented to go to the station. Lewis is not known to the police and they say that his game is at least a new variety if not an entirely novel bait for suckers

SHOOTS FATHER; KILLS HIMSELF

Young Man Would Have Shot His Mother Too Had She Been at Home.

ham, 32 years old, a wealthy horseman of Auburn, fired two shots into his father's head late this afternoon, remarking: "If mother were home I would shoot her too. Peckham then went to his own room on the second floor and standing before a mir-

PROVIDENCE, March 12.-Irving T. Peck

ror placed the revolver in his mouth and fired. He died instantly

The father, Samuel Peckham. 58 years of age, is in the Rhode Island Hospital with a chance of recovery. Mrs. Peckham, mother of the suicide, was downtown shopping and collapsed when she got her first news of the tragedy from a newspaper bulletin board.

Peckham senior is a retired mill super-intendent. Father and son were closely associated for several years as superin-tendent and assistant superintendent of the Colchist yarn mills of the Glenark Wor-sted Company at Woonsocket. Several months ago the mill closed and within a few weeks it was sold. Although not in few weeks it was sold. Although not in financial straits young Peckham brooded over his enforced idleness, and his act to-day is believed to be due to insanity. Peok-ham was fond of horses and always owned one or more fast ones. He was a prominent figure on the speedway and at the matine races at Narragansett Park.

FIGHT ON PASTEURIZED MILK

Commissioner Darlington Attacks the Reece Bill Before Assembly Committee. ALBANY, March 12.-Assemblyman Reece's bill compelling New York city to establish plants for the pasteurization of milk was attacked this afternoon before the Assembly Cities Committee by Health Commissioner Darlington and Dr. C. D. Morris, an expert on milk

Assemblyman Reece defended his bill and said that the majority of deaths of infants in New York city was traceable directly to the impure milk that was sold. He said the city was offering no relief and he said the city was offering no refer and it was necessary to secure mandatory legislation to save the lives of infants. He spoke of the decrease which had been shown in the death rate in hospitals in which pasteurized milk was given to pa-

Dr. Darlington said that while he knew there was some bad milk sold in New York city he thought the authorities were coping with the situation fairly successfully just now and would soon have none but pure milk offered for sale. It was a bad bill because it was mandatory in its provisions.

Dr. Morris declared that pasteurization destroyed the wholespeakers of milk and was harmful to good milk. He said that certified milk was the purest and best milk. While he declared that Nathan Straus had undoubtedly done a great deal of good with his pasteurized milk, at the same time with his pasteurized milk, at the same time pasteurized milk was not good for all things. He said that cost of the plants necessary for the pasteurization would be more than it would cost New York city to go through the State and destroy all cows affected with tuberculosis. It would cost \$7,000,000 a year to operate the plants.

year to operate the plants.

Assemblyman Reece will amend his bill to exempt certified milk from its provisions.

POLICE BILL DELAYED.

Senator White's Absence Prevents Action by Senate Cities Committee.

ALBANY March 12 - Owing to the absence of Senator Horace White, chairman of the Senate Cities Committee, Senator Page was unable to move the Bingham police bill to-day. The committee is to hold an executive

session to-morrow night. Senator Page does not know if there will be a hearing before the Senate committee, as he has received no intimation that one is desired.

NO PENSION FOR MRS. O'KEEFE. Court Cannot Review the Decision of Police Commissioner

Supreme Court Justice Newburger denied yesterday the application of Mrs. Rosa O'Keefe, widow of Police Captain John O'Keefe, for a mandamus directing Commissioner Bingham to grant her a pension of \$600 a year.

O'Keefe fell down stairs and was killed then Board of Police Commissioners out the widow's name on the pension list, but Commissioner Partridge struck the name off on the ground that O'keefe had not been off on the ground that O'neefe had not been killed on police duty. Mrs. O'Keefe waited until Commissioner Bingham took office before seeking legal relief. Justice Newburger rules that the granting of pensions in such cases is purely discretionary with the Police Commissioner, and that his action is not reviewable by any legal tribunal.

SUES A SOAP COMPANY To Get Back #1,000 a Glowing Prospectus Get Out of Him.

Amos Post, a resident of Cohoes, has sued the Pennsylvania Soap Company of Lancaster, Pa., and its officers and directors, including Charles A. Miller, its New tors, including Charles A. Miller, its New York manager at 99 Warren street, in the United States Circuit Court here, through his counsel, John Scanlon of Cohoes. He seeks to get back the \$4,000 which he paid out for forty shares of the soap company's preferred stock on June 1, 1905, with interest from that date and costs of the suit. Post complains that he was induced to invest in the soap company's stock by glowing circulars descriptive of their business which were written by Jacob G. Miller of Lancaster, the vice-president and general ness which were written by sacou G. Miller of Lancaster, the vice-president and general manager of the company. He also says the company is trying to dispose of its factory in Buralo and has failed to pay the big dividends it promised would be forth-

DIED SIMULTANEOUSLY. and Son, Far Apart, Victims

Apoplexy and Fire. OTTAWA, March 12.-Yesterday a father and son, though at different places, met

death in the same hour. Honore Martin, a driver at Coteau Landing, Quebec, was found sitting on the seat of his wagon, the reins in his hands, but quite dead. He died of apoplexy. At the same time at a fire at Coteau Station, when the stable of the Aumais Hotel was burned down, Joseph Martin, the father, who had been sleeping in the loft, was burned to death.

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Tiffany & Co. airect attention to their steel vaults and storage department for the safe-keeping of securities, jewelry, laces, family silverware and heirlooms

Silverware, bronzes and fancy goods intended for this department will be sent for and packed by experienced

Fifth Avenue & 37th Street

ART SALES AND EXHIBITIONS.

ART SALES AND EXHIBITIONS.

The Fifth Avenue Art Galleries

JAMES P. SILO, Auctioneer,

Will sell at the above galleries March 14th, 15th and 16th at 2:30 o'clock, the unique collection of EIGHTEENTH CENTURY FURNITURE, TEXTILES and EMBROIDERIES of

K. J. COLLINS, 8 W. 33d St.

On account of the condition of 33d Street, due to the Pennsylvania Ralifold tearing up the street in the construction of the Crosstown Tunnel, K. J. Collins has decided to dispose of this fine collection of Works of Art. Also

The Celebrated KEEBLE COLLECTION of LONDON, consisting of genuine ENGLISH FURNITURE by CHIPPENDALE, SHERATON, ADAMS, etc., and

On Thursday evening, March 14th at 8:30 P. M We will sell the fine KEEBLE COLLECTION OF PAINTINGS of the English and French Eighteenth Century Schools In consequence of the importance of this sale there will be an exhibition on March 11th, 12th and the 13th (day and evening)

GIRL DEAD; GAS TURNED ON.

INA DECKER HAD COME TO NEW YORK WITH HER FIANCE.

They Spent the Evening at a Theatre and He Left Her at the Door of Her Boarding House in Brooklyn-In the Morning She Was Discovered Dead on Her Bed Miss Ina Decker, 22 years old, of Chatham,

N. Y., was found dead yesterday morning. She had been asphyxiated by gas in her bedroom on the second floor of the boarding house of Mrs. Sarah Calhoun at 62 Clinton avenue, Brooklyn. She was lying on the bed in her night clothing and two gas cocks in the room, one on the droplight of the chandelier and another attached to a jet in the wall, were turned on full. The young woman was a stranger to Mrs. Calhoun On Monday afternoon she called at the house a man about 30 years of scribed as "a lawyer from Chatham," and arranged for board. She told Mrs. Calhoun that she had come from Chatham to study for six weeks at the factory and training school of the Mergenthaler Linotype Company in Ryerson street and Flushing avenue, and that Superintendent Morehouse had told her to come to her to see about board.

After securing the room she told Mrs. Calhoun that she was going to the theatre in the evening with her friend, and asked for a night key. Mrs. Calhoun says she heard the new boarder return shortly before midnight, and go to her room.

About 6:30 o'clock yesterday morning Mrs. Calhoun smelled gas and forced open the young woman's room. Mrs. Calhoun says the young woman seemed to be very happy. She was of medium size with brown hair and well dressed. Among her effects were a watch chain and locket of gold, a chased gold band ring and \$51 in money. Mr. Morehouse said that the young woman belonged to a highly respectable family at Chatham. She was to have begun her studies, he said, at the training school yesterday morning. He could give no reason for her taking her

Lawyer George Wood of Poughkeepsie heard of Miss Decker's death yesterday and notified her parents, who live in Chatham. He also notified Frank H. Kelly. who was keeping company with her and who was the man who took her to Brooklyn on Monday. Mr. Wood and Mr. Kelly called at the Coroners' office later in the day and made arrangements to take the body back to Chatham to-day. Mr. Kelly and Miss Decker were to have been married in September. Mr. Kelly said that he took Miss Decker to one of the Manhattan theatres on Monday night, after which he accompanied her to the Clinton avenue house. He said that she had never been house. He said that she had never been in a house where gas was used and he was positive that her death was purely acci-dental. The police authorities are of the

same opinion.

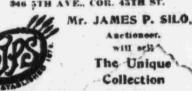
POUGHKEEPSIE, N. Y., March 12.—After spending a day in New York and Brooklyn with Miss Ina Decker of Chatham, Columbia county, Frank H. Kelly, a young lawyer of this city, returned to Poughkeepsie this morning to learn that Miss Decker had met a tragic death in her boarding house in Brooklyn. They were engaged to be married. Miss Decker was a pretty girl, 22 years of age, who lived with her parents in Chatham. She was educated parents in Chatham. She was educated in the academy of that place and after being graduated three years ago she entered the employ of the Chatham Courier as a typesetter.

typesetter.

Early yesterday morning Miss Decker
left Chatham and went to New York by
way of Poughkeepsie, where she was joined
by appointment by Mr. Kelly. They by appointment by Mr. Kelly. They reached Brooklyn at noon, visited the linotype factory and then secured a satisfactory boarding place. In the afternoon they went to New York, had dinner and spent the evening at the Hippodrome.

From the Hippodrome Mr. Kelly escorted To-morrow (THURSDAY), Friday and Saturday at 2:30 o'clock

Fifth Ave. Art Galleries, 346 5TH AVE., COR. 43TH ST.



of Furniture, Works of Art, Textiles and Embroideries Formed by K. J. Collins.

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FROM THE CELEBRATED KEEBLE COLLECTION

of London, England,

The Keeble Collection of English and French PAINTINGS of the Eighteenth Century School. Now on exhibition. Open this evening until to

IN PREPARATION FOR PUBLIC SALE AT THE Fifth Ave. Art Galleries, 246 FIFTH AVENUE. James P. Silo, Auctioneer, The Valuable Collection of Ancient and Modern

Chinese Porcelains, Bronzes, Bugg and Other Art Objects. Including Rare Black Hawthorn Blue Hawthorn Vases, Ap ple Green and Other Valuable Specia

The property of Miss Clementine Bash of Seattle. LONG RESIDENT OF PEKIN.

April 1st at the above galleries. her across the bridge to Brooklyn and left her at the door of the boarding house. They said "Good night" and parted with the expectation of seeing each other next Sunday, when Mr. Kelly was to go down to Brooklyn and spend the day with her. Mr. Kelly stopped at the Grand Union Hotel and this morning he came to Poligh-keepsie on the Fast mail leaving New York at 8:45 A. M. and reaching here at 10:30.

The Entire Collection on exhibition from

FATAL COLLISION ON B. & M. R. R. killed and Three Hurt in Crash of Freight and Express.

WILLIAMSTOWN, Mass., March 12 .- One man was killed and three were injured today in a collision between a freight and express train on the Fitchburg division of

the Boston & Maine Railroad. The express train came around a curve Lucas, fireman.

Ohio's New Local Option Law Upheld. COLUMBUS, Ohio, March 12.-The Supreme Court to-day upheld the constitutionality of the Jones local option law, which gives local option by petition of the voters is cities instead of by election.

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at the west entrance of the train yards and crashed into the standing freight train. Both engines were smashed, as were three freight cars and one express car.
The fireman of the freight, C. C. Ransom of Rotterdam, N. Y.. was instantly killed.
The injured men are A. P. Young of Mechanicsville, N. Y., engineer; James Gijkerson of Albany, engineer, and Walter Lucas, fireman. All three were injured internally and scalded by escaping steam.

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